

PRIVATE SECTOR SHOPS



AUDUBON SOCIETY WORKERS FIGHT BACK AGAINST THEIR GOLIATH & WIN UNIONIZATION

When the Bird Union realized it needed a larger flock to support members in its fight against management, it turned to Communications Workers of America for support. Late last year, workers at 11 state and regional offices in the National Audubon Society voted overwhelmingly in favor of forming a union with CWA Local 1180 in official National Labor Relations Board (NLRB) elections.

The vote was a critical step in the workers' years-long effort to secure stronger health care, job security, and a voice at the table for all workers regardless of race, gender, or background. This successful organizing began after workers faced two rounds of layoffs in 2020, one of which happened on Earth Day.

Layoffs were not the only issue, unfortunately. Audubon workers were dealing with the cost of their health care increasing amidst the pandemic and all major decisions at Audubon being made by executives behind closed doors.

"Audubon workers definitely had their David and Goliath moment that culminated in a strong win," said Local 1180 President Gloria Middleton. "Never underestimate the power of workers, especially when they have the backing of Local 1180."

Audubon workers join the Audubon for All Union, which began at Audubon's national headquarters where members also voted in summer 2021 to form a union with CWA.

Employees saw the December wins as part of a sweeping push by Audubon workers nationwide to secure union representation that includes workers in the Northeast (New York and Connecticut), Upper Midwest (Iowa, Minnesota, Missouri), Southwest (Arizona and New Mexico), the Great Lakes (Illinois, Ohio, Michigan, Wisconsin), the Mid Atlantic (Pennsylvania, Maryland), North Carolina, Nebraska, Washington, Alaska, Vermont, and California. In total, these 11 regions account for more than 120 Audubon employees who will be represented by CWA Local 1180, in addition to the 131 workers at the national headquarters.

Audubon is the latest in a number of environmental groups, including The Center for Biological Diversity, Sunrise Movement, the Sierra Club, 350.org, and Greenpeace,

whose workers have formed unions. Audubon workers add to the growing number of conservationists and climate activists paving the way for a stronger alliance between labor and environmentalism.

The national conversation around union organizing has focused on "new" players, including non-profits. The labor movement is on the rebound, with union approval at its highest since 1965, with union petitions filed at the National Labor Relations Board up almost 60% between Oct. 2021 and March 2022 compared to the previous six-month period.

Adding fuel to Audubon's organizing fire was the company's toxic culture that created countless barriers in the workplace – primarily for employees of color and women – and was confirmed by an independent audit. Audubon is one of many environmental organizations grappling with its racist history, and workers view a union as their best opportunity to address those concerns. These wins ensure workers a seat at the table as they look to build an Audubon that values the voices and ideas of all employees, not just the top decision-makers.

The road to unionization has not been an easy one for Audubon workers. In Jan. 2022, Audubon replaced its former legal representatives from Littler Mendelson, a notorious anti-union law firm, with Athena Buenconsejo of Sagacious Leadership. Buenconsejo was previously a labor relations director for Alameda Health System (AHS), which operates five hospitals in California. In Oct. 2020, after bargaining under her leadership stalled for months, the staff union went on strike. To meet the workers' demands, AHS management removed Buenconsejo from its bargaining team, which allowed the union to progress in negotiations.

Since Buenconsejo joined the Audubon leadership team, Audubon has become the only non-profit shop represented by Local 1180 that refused to bargain during the workday, which forced members of the Bargaining Committee to negotiate on weekends and until midnight during the week so members and representatives from all offices could be included. Rank-and-file members proudly exercised their right



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to collectively bargain by showing up to the meetings outside work hours, while no members of Audubon's senior leadership have shown up during negotiations.

Sonceyrae Kondrotis, one of the Bargaining Committee members, said this shows the lack of regard management has for its workers. "They don't respect that we represent hundreds of people. If they can't show us this level of respect after we have voted for a union, that's exactly why we need one."

When told that every other Local 1180 non-profit Bargaining Committee has been able to do their work with accommodations to bargain, Buenconsejo asserted that staffers who could do both might only need to be employed on a part-time basis, implying that anyone who can finish their work and bargain should have their full-time position reconsidered. In addition, management also has questioned the need for accountability for staff that intentionally refuse to use their colleagues' preferred pronouns.

While workers have not been subjected to mandatory anti-union meetings at work, commonly known as "captive audience meetings," they say that Audubon managers told employees they could not discuss the organizing drive with their co-workers and directed some employees to remove their signatures from a statement in support of the union. This led CWA to file an unfair labor practice charge against Audubon in March.

The scenario that has plagued Audubon workers is no different than what myriad other non-profits are experiencing in their attempts to unionize. It's gotten so bad that even the NLRB's General Counsel has pushed to eliminate employers' current rights in the union representation election process.

Since the late 1960s, the Goliaths in unionization battles have generally been able to require an election by refusing to recognize a union based only on a majority of union authorization cards. In April 2022, however, the NLRB's General Counsel argued in a case that employers must show good-faith doubt as to the validity of authorization

cards in order to avoid bargaining with a union. While it's unclear as to exactly what might constitute a "good-faith doubt," businesses and nonprofits are not as easily able to interfere in the process.

Although Audubon's disappointing behavior continues, the unionized staff still are showing solidarity with their transgender colleagues in response to management's comments by holding collective actions on internal communication channels. Despite the union being 250 workers strong and having the backing of CWA, management is playing hardball and trying to drag out settling a contract. Persistence, continued organizing, and collective action are key to taking on a Goliath

Bird Union workers are staying strong — CWA strong.

When workers rallied outside Audubon Headquarters in New York City on Earth Day, April 22, Local 1180 was there in solidarity. Audubon Workers Tykee James, Hannah Waters, Shyamlee Patel, Maddox Wolfe, and Alan Gottlieb are pictured with First Vice President Gina Strickland, Organizer Leslie Fine, Staff Representatives Christopher Thomas, Gregory Smith, Anthony Lewis, and Denise Duncan, Membership Coordinator Deborah Valentin, and Chelsea Watson, VP of the Progressive Workers Union.

In bargaining for a first contract, workers are looking for policies and tools to improve diversity, pay equity, better pathways for career development, and transparency between management and staff. The workers are staying united through continued organizing of collective actions at work and at the bargaining table. They are bolstered by the knowledge that the rest of CWA has their backs and will push together until management stops its disappointing behavior and realizes that union strength is only growing. ■

